

**REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)**

Submit an original and a duplicate for fee processing

THIS APPLICATION:		PRIOR APPLICATION:		TOTAL NO.
DOCKET NUMBER	FILING DATE	EXAMINER	ART UNIT	OF PAGES
P63461US4	July 11, 2003	Theodore Criares	1617	23

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10/617184
07/11/03

Address to:

Commissioner for Patents
P.O. Box 1450
Mail Stop Patent Application
Alexandria, VA 22313-1450

This is a request for filing a ☐ continuation or ☒ divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. **09/956739** filed on **September 18, 2001**, entitled **PHARMACEUTICAL PREPARATION COMPRISING EICOSAPENTAENOIC ACID AND/OR STEARIDONIC ACID** by the following inventor(s).

	Family Name	First Given Name	Second Given Name
Full Name of Inventor	HORROBIN	David	Frederick (deceased)
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	Stirling	Scotland	United Kingdom
	Post Office Address	City	State & Zip Code/ Country

Post Office Address: Scarista Ltd., Kings Park House, Laurelhill Business Park, Stirling, Scotland FK7 9JQ

☐ additional sheet(s) with inventors information attached

- ☒ A Second Preliminary Amendment is enclosed.
- ☒ Cancel claim(s) 1-7 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

Basic Fee		\$375	\$750
Total Claims	12 - 20 =	x 9 = \$	x 18 = \$
Ind. Claims	1 - 3 =	x 42 = \$	x 84 = \$
<input type="checkbox"/> Multiple Dependent Claims		+140 = \$	+ 280 = \$
		Total \$	Total \$750

3. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. ☐ This application is filed under Rule 53(f) and therefore the ☐ Filing Fee ☐ Declaration is not enclosed. All authorization to charge Deposit Account No. 06-1358 for 37 C.F.R. 1.16 fees previously made is revoked.
5. ☒ A check in the amount of \$750.00 is enclosed.
6. ☒ Amend the specification by inserting before the first line the sentence:

This is a Divisional of application Serial No. 09/956739 filed September 18, 2001.

☒ which in turn is a Divisional of application Serial No. 09/284231 filed June 10, 1999, now U.S. Patent No. 6331568
7. ☐ A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:

a) ☐ was claimed by way of a declaration filed in prior application Serial No. _____.

b) ☐ is claimed by way of the attached declaration.
8. ☒ Priority of application Serial Nos. 9621294.9 and 9626062.5, filed on October 11, 1996 and December 16, 1996, respectively, both in Great Britain is claimed under 35 U.S.C. 119.

a) ☒ Certified copies are on file in prior application, Serial No. 09/284231.

b) ☐ Certified copy filed herewith.
9. ☒ The prior application is assigned of record to Scotia Holdings PLC.
10. ☒ The Power of Attorney in the prior application is to at least one of the following:

John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; Marvin R. Stern, 20,640; Allen S. Melser, 27,215; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007; William E. Player, 31,409; Yoon S. Ham, 45,307; and Nathaniel A. Humphries, 22,772.

a) ☒ The power appears in the original papers of the prior application.

b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. ☒ Petition to extend the life of the above prior application to at least the date hereof

(One box) ☐ is being concurrently filed in
NOTE: (must be) that prior application.
(X'd) ☐ was previously filed in that application.
☒ is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. ☐ New formal drawings are enclosed.
13. ☒ Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 which was filed in Serial No. 09/284231, filed June 10, 1999 which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☒ More than one IDS was filed in the above Serial No. and copies of each IDS, less the documents, are enclosed.
14. ☒ Enclosed is a copy of the PTO 892 which issued in Serial No. 09/284231, filed June 10, 1999 which is relied on for an earlier filing date under 35 U.S.C. 120.
- ☒ Enclosed is a copy of the PTO 892 which issued in Serial No. 09/956739, filed September 18, 2001 which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☐ More than one PTO 892 issued in the above Serial No. _____ and copies of each PTO 892, less the documents, are enclosed.
15. ☒ Also enclosed is: Substitute Declaration.

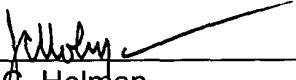
Address all future correspondence to:

Customer No. 00136
or
JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone 202/638-6666

Enclosed is a copy of the prior application including the Declaration as originally filed, application, namely Serial No. 09/956739, filed on September 18, 2001. The entire disclosure of the prior application is hereby incorporated by reference.

Respectfully submitted,

By



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Signed this 11th day of
July, 2003

☒ [X] Attorney or Agent of record

☐ [] Filed under 37 CFR 1.34(a)